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2014 FEB 21 AM 11:49

CLERK OF DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

BY _____

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

ATIKE KING,

Plaintiff,

v.

CMRE FINANCIAL SERVICES, INC.)

Defendant.

) Case No.: SACV14-00258 DOC (RNBx)
)
) COMPLAINT FOR DAMAGES
) 1. VIOLATION OF THE FAIR
) DEBT COLLECTION PRACTICES
) ACT, 15 U.S.C. §1692 ET. SEQ.;
) 2. VIOLATION OF THE
) TELEPHONE CONSUMER
) PROTECTION ACT, 47 U.S.C.
) §227 ET. SEQ.
) 3. VIOLATION OF THE
) ROSENTHAL FAIR DEBT
) COLLECTION PRACTICES ACT,
) CAL. CIV. CODE §1788 ET. SEQ.
)
) JURY TRIAL DEMANDED

COMPLAINT

ATIKE KING ("Plaintiff"), by her attorneys, KIMMEL & SILVERMAN,
P.C., alleges the following against CMRE FINANCIAL SERVICES, INC.
("Defendant"):

INTRODUCTION

1
2 1. Plaintiff's Complaint is based on the Fair Debt Collection Practices
3 Act, 15 U.S.C. §1692 *et seq.* ("FDCPA"), the Telephone Consumer Protection
4 Act, 47 U.S.C. §227 *et seq.* ("TCPA,"), and the Rosenthal Fair Debt Collection
5 Practices Act, cal. Civ. Code §1788, *et. seq.* ("RFDCPA") which prohibits debt
6 collectors from engaging in abusive, deceptive, and unfair practices.
7
8
9

JURISDICTION AND VENUE

10
11 2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d),
12 which states that such actions may be brought and heard before "any appropriate
13 United States district court without regard to the amount in controversy," and 28
14 U.S.C. § 1331 grants this court original jurisdiction of all civil actions arising
15 under the laws of the United States.
16
17
18

19 3. Defendant conducts business in the State of California and therefore,
20 personal jurisdiction is established.
21

22 4. Venue is proper pursuant to 28 U.S.C. § 1391 (b)(1) and (b)(2).
23
24

PARTIES

25
26 5. Plaintiff is a natural person residing in Huntington Beach, California.

27 6. Plaintiff is a "consumer" as that term is defined by 15 U.S.C.
28

1 §1692a(3) and is a “debtor” as defined by Cal. Civ. Code §1788.2(h).

2 7. Defendant is a corporation specializing in debt collection with its
3 principal place of business located at 3075 E. Imperial Hwy. #200, Brea,
4 California 92821.
5

6 8. Defendant is a “debt collector” as that term is defined by 15 U.S.C.
7 §1692a(6), and RFDCPA, Cal. Civ. Code §1788.2(c).
8

9 9. Defendant acted through its agents, employees, officers, members,
10 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,
11 representatives, and insurers.
12

13 14 15 **FACTUAL ALLEGATIONS**

16 10. At all relevant times, Defendant was attempting to collect an alleged
17 consumer debt from Plaintiff as the term is defined by the FDCPA at 15 U.S.C. §
18 1692a(5) and the RFDCPA at Cal. Civ. Code §1788.2(f).
19

20 11. The alleged debt originated from a medical bill from Huntington
21 Beach Hospital, and arose out of transactions which were primarily for personal,
22 family, or household purposes.
23

24 12. Throughout March 2013, Defendant’s representatives placed repeated
25 harassing debt collection calls to Plaintiff’s cellular telephone.
26

27 13. Defendant’s harassing debt collection calls derived from number
28

1 (714) 528-3200. The undersigned has confirmed that these numbers belong to
2 Defendant.

3
4 14. Defendant regularly called Plaintiff, even after Plaintiff indicated she
5 was disputing the alleged debt.

6
7 15. Once told that the debt was disputed, there was no purpose for
8 subsequent calls by Defendant except for the purposes of harassment.

9
10 16. Defendant also immediately called Plaintiff back after she
11 discontinued the call by hanging up the phone.

12
13 17. Once Plaintiff discontinued the call, there was no purpose for an
14 immediate return call by Defendant except for the purposes of harassment.

15
16 18. Defendant also contacted Plaintiff's ex-husband and informed him
17 of the alleged debt.

18
19 19. Upon information and belief, many calls were placed to Plaintiff's
20 cellular phone by a computer autodialer, and the use of a pre-recorded or artificial
21 voice was often employed.

22
23 20. Defendant's telephone calls were not for "emergency purposes," as
24 that terms is referenced in 47 U.S.C. §227(b)(1)(A).

25
26 21. Finally, on March 13, 2013, Defendant sent a writing to Plaintiff
27 regarding the alleged debt. The writing failed to sufficiently set forth her rights
28 pursuant to the FDCPA.

1 22. Further, the writing included attempts to collect additional amounts,
2 including interest.

3 23. Defendant's actions as described herein were made with the intent to
4 harass, deceive and coerce payment from Plaintiff.
5

6
7
8 **COUNT I**
9 **DEFENDANT VIOLATED § 1692c(b) OF THE**
10 **FAIR DEBT COLLECTION PRACTICES ACT**

11 24. Section 1692c(b) of the FDCPA prohibits debt collectors from
12 communicating, in connection with the collection of any debt, with any person
13 other than the consumer, his attorney, a consumer reporting agency if otherwise
14 permitted by law, the creditor, the attorney of the creditor, or the attorney of the
15 debt collector.
16

17 25. Defendant violated § 1692c(b) of the FDCPA when it communicated
18 with Plaintiff's ex-husband regarding Plaintiff's alleged debt.
19

20
21
22 **COUNT II**
23 **DEFENDANT VIOLATED § 1692d OF THE**
24 **FAIR DEBT COLLECTION PRACTICES ACT**

25 26. Section 1692d of the FDCPA prohibits debt collectors from engaging
26 in any conduct the natural consequence of which is to harass, oppress or abuse any
27 person, in connection with the collection of a debt.
28

1 27. Defendant violated § 1692d of the FDCPA when it called Plaintiff
2 repeatedly and continuously, when it continued to call Plaintiff even after she
3 informed Defendant that she disputed the alleged debt and when it engaged in
4 other harassing or abusive conduct.
5

6
7
8 **COUNT III**
9 **DEFENDANT VIOLATED § 1692d(5) OF THE**
10 **FAIR DEBT COLLECTION PRACTICES ACT**

11 28. Section 1692d(5) of the FDCPA prohibits debt collectors from
12 causing a telephone to ring or engaging any person in telephone conversation
13 repeatedly or continuously with intent to annoy, abuse, or harass any person at the
14 called number..
15

16 29. Defendant violated § 1692d(5) of the FDCPA when it caused
17 Plaintiff's telephone to ring repeatedly and continuously with the intent to harass
18 or annoy Plaintiff, including immediately calling Plaintiff back after Plaintiff had
19 terminated the communication by hanging the phone.
20
21

22
23 **COUNT IV**
24 **DEFENDANT VIOLATED §§ 1692e, 1692e(2)(A), and 1692e(10) OF THE**
25 **FAIR DEBT COLLECTION PRACTICES ACT**

26 30. Section 1692e of the FDCPA prohibits debt collectors from using any
27 false, deceptive, or misleading representation or means in connection with the
28

1 collection of any debt.

2 31. Section 1692e(2)(A) of the FDCPA prohibits debt collectors from
3 falsely representing the character, amount or legal status of any debt.
4

5 32. Section 1692e(10) of the FDCPA prohibits debt collectors from using
6 any false representation or deceptive means to collect or attempt to collect any debt
7 or to obtain information concerning a consumer.
8

9 33. Defendant violated §§ 1692e, 1692e(2)(A) and 1692e(10) of the
10 FDCPA when it represented that it could collect interest that was not agreed to and
11 when it made other deceptive, false and misleading representations.
12
13
14

15
16 **COUNT V**
17 **DEFENDANT VIOLATED § 1692f OF THE**
18 **FAIR DEBT COLLECTION PRACTICES ACT**

19 34. Section 1692f of the FDCPA prohibits debt collectors from using
20 unfair or unconscionable means to collect a debt.

21 35. Defendant violated § 1692f of the FDCPA when it called Plaintiff
22 repeatedly and continuously, when it continued to call Plaintiff even after she
23 informed the Defendant she disputed the debt, when it failed to provide Plaintiff
24 with written information sufficiently setting forth her rights pursuant to the
25 FDCPA, attempted to collect additional charges, including interest, and when it
26 engaged in other unfair conduct.
27
28

1
2
3 **COUNT VI**
4 **DEFENDANT VIOLATED § 1692f(1) OF THE**
5 **FAIR DEBT COLLECTION PRACTICES ACT**

6 36. Section 1692f(1) of the FDCPA prohibits debt collectors from
7 collecting any amount (including any interest, fee, charge, or expense incidental to
8 the principal obligation) unless such amount is expressly authorized by the
9 agreement creating the debt or permitted by law.

10 37. Defendant violated § 1692f(1) of the FDCPA when it attempted to
11 collect additional charges, including interest.
12
13
14

15 **COUNT VI**
16 **DEFENDANT VIOLATED § 1692g(a) OF THE**
17 **FAIR DEBT COLLECTION PRACTICES ACT**

18 38. Section 1692g(a) of the FDCPA states that within five days after the
19 initial communication with a consumer in connection with the collection of a debt,
20 a debt collector shall send the consumer a written notice containing the amount of
21 the debt, the name of the creditor to whom the debt is owed, the manner in which
22 to dispute the debt, and that if the debt is disputed, that the debt collector will
23 obtain verification of the debt, and will provide information to Plaintiff on how to
24 dispute the debt.
25
26

27 39. Defendant violated § 1692g(a) of the FDCPA when it failed to
28

1 provide written notification or any information in writing to Plaintiff in regards to
2 how to dispute the debt or obtain verification of the debt, in violation of the
3 FDCPA.
4

5
6
7 **COUNT VII**
8 **DEFENDANT VIOLATED THE TELEPHONE CONSUMER**
9 **PROTECTION ACT**

10 40. Section 227(b)(3)(A) of the TCPA authorizes a private cause of action
11 for a person or entity to bring in an appropriate court of that state “an action based
12 on a violation of this subsection or the regulations prescribed under this subsection
13 to enjoin such violation.”
14

15 41. Section 227(b)(3)(B), of the Act authorizes a private cause of action
16 for a person or entity to bring in an appropriate court of that state “an action to
17 recover for actual monetary loss from such a violation, or to receive \$500 in
18 damages for each such violation, whichever is greater.”
19
20

21 42. Defendant repeatedly placed non-emergency calls to Plaintiff without
22 Plaintiff’s consent.
23

24 43. The Act also authorizes the Court, in its discretion, to award up to
25 three (3) times the actual damages sustained for violations.
26

27 44. Here, Defendant repeatedly and regularly placed non-emergency,
28 automated calls to Plaintiff using a pre-recorded or artificial voice.

1 45. Defendant did not have Plaintiff's express consent prior to contacting
2 her using an automatic telephone dialing system or pre-recorded or artificial voice.

3
4 46. Defendant's conduct violated §227(b)(1)(A)(iii) of the TCPA by
5 making any call using any automatic telephone dialing system or an artificial
6 prerecorded voice to a telephone number assigned to a cellular telephone service.
7

8
9 **COUNT VIII**
10 **DEFENDANT VIOLATED THE**
11 **ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT**

12 47. Section 1788.17 of the California Civil Code mandates that every debt
13 collector attempting to collect a consumer debt shall comply with § 1692b through
14 § 1692j of the FDCPA.
15

16 48. Defendant violated Cal. Civ. Code § 1788.17, when it violated the
17 FDCPA for the reasons set forth in this Complaint.
18

19
20 WHEREFORE, Plaintiff, ATIKE KING, respectfully prays for a judgment
21 as follows:
22

- 23 a. Actual Damages;
24 b. Statutory damages;
25 c. Reasonable attorney's fees and costs;
26 d. Any other relief deemed appropriate by this Honorable Court.
27
28

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, ATIKE KING, demands a jury trial
in this case.

RESPECTFULLY SUBMITTED,

KIMMEL & SILVERMAN, P.C..

DATED: 2/17/2014

By: 

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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Cormac J. Carney and the assigned Magistrate Judge is Robert N. Block.

The case number on all documents filed with the Court should read as follows:

SACV14-00258 DOC (RNBx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

February 21, 2014

Date

By Nancy Boehme
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

- | | | |
|---|---|---|
| <input type="checkbox"/> Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012 | <input checked="" type="checkbox"/> Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701 | <input type="checkbox"/> Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501 |
|---|---|---|

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**I (a) PLAINTIFFS** (Check box if you are representing yourself ☐)
ATIKE KING**DEFENDANTS**
CMRE FINANCIAL SERVICES, INC.**(b) Attorneys** (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)AMY L. BENNECOFF, ESQ., KIMMEL & SILVERMAN, P.C.
30 East Butler Avenue, Ambler, PA 19003
(215)540-8888; abennecoff@creditlaw.com

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)**CLASS ACTION** under F.R.C.P. 23: ☐ Yes ☒ No☐ **MONEY DEMANDED IN COMPLAINT:** \$**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
15 U.S.C. 1692k**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 General Habeas Corpus	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input checked="" type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	FORFEITURE / PENALTY	PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 630 Liquor Laws	SOCIAL SECURITY
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	REAL PROPERTY	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	IMMIGRATION	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 660 Occupational Safety /Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 440 Other Civil Rights		<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 465 Other Immigration Actions			FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: _____

SACV14-00258 DOC (RNBx)

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

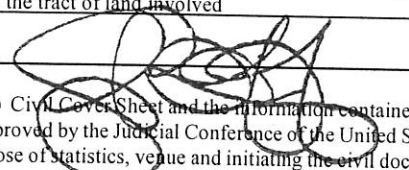
County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Orange County	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 2/17/2014

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))